MANISTEE CITY PLANNING COMMISSION

70 Maple Street, Manistee, Michigan 49660 Meeting of Thursday, June 5, 2003 7:00 p.m. - Council Chambers, City Hall

AGENDA

I	Roll Call					
II	Publi	Public Hearing				
	1. 2.	Heller Signs/Zoning Amendment - Section 1411.D of the Sign Ordinance				
III	Citize	en Questions, Concerns and Consideration				
IV Approval of Minutes						
		Planning Commission Meeting (5/1/03)				
V	New Business					
	1. 2. 3. 4. 5. 6.	Heller Signs/Zoning Amendment - Section 1411.D of the Sign Ordinance Kenneth Nowak/St. Joseph Church - Parcel Split & Combination Request Harbor Village, Lakeview Condominiums - Site Plan Review Top Notch Auto, LLC, 145 Harrison Street - Open Air Use Brian Seiferlein, 146 Cleveland Street - Site Plan Review				
VI	Unfinished Business					
	1.					
VII	Other	Communications				
	1.					
VIII	Work	Study Session				
	1.					

Speaking at Meetings:

Adjournment

IX.

Unless waived by the Commission for a specific meeting, any public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be appointed who may request that the Chairman approve more than the normal five (5) minutes. If necessary, a maximum of five (5) minutes will be allowed for the group to caucus to choose their spokesperson and develop their comments.

MEMORANDUM

TO:

Planning Commission Members

FROM:

Denise Blakeslee

Secretary, Community Development

DATE:

May 30, 2003

RE:

Planning Commission Meeting June 5, 2003

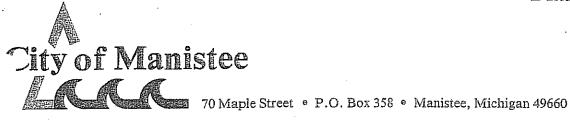
The Planning Commission Meeting will be at 7:00 p.m. on Thursday, June 5, 2003. We have the following requests on the agenda:

- 1. Heller Signs/Zoning Amendment Section 1411.D of the Sign Ordinance. A Public Hearing has been scheduled to allow public input regarding a proposed to the Sign Ordinance. The proposed change would change Section 1411.D to read:
 - D. Signs which include flashing or moving chasing lights. and Animated Signs.
- 2. Kenneth Nowak/St. Joseph Catholic Church Parcel Split and Combination. Kenneth Nowak resides at 242 Sixth Street parcel code #51-51-664-704-05 and would like to purchase property from St. Joseph Catholic Church (approximately 49.89' x 100.05') part of parcel code #51-51-664-704-03. Mr. Nowak has had a survey prepared that shows the proposed split and combination request. Review of the request shows that all of the requirements of the Zoning Ordinance have been met.
- 3. Harbor Village, Lakeview Condominiums Site Plan Review. We have received a request for a Site Plan Review from Harbor Village for the Lakeview Condominiums #7 thru #11. This request shows minor changes to the original footprints and changes to the elevations. Staff Review of the proposed changes shows that all of the requirements of the Zoning Ordinance have been met.
- 4. Top Notch Auto LLC., 145 Harrison Street. Top Notch Auto has been selling vehicles from the former Top Notch Marathon Station. Staff has noticed that they have expanded their operations to the vacant lot to the south. This expansion falls under the "open air use" in the C-1 Commercial District that requires approval from the Planning Commission.
- 5. Brian Seiferlein, 146 Cleveland Street Site Plan Review. The Planning Commission approved a lot split and combination for Mr. Seiferlein (B.N.C. Corp) in August 2002. The

Zoning Board of Appeals approved a variance to allow an increase in the driveway width regulation for a entrance/exit from 35 feet to 40 feet for a three lane driveway to U.S. 31 in September 2002. No record of Site Plan Approval could be found in the file so this request is now coming before the Planning Commission. The plans do not show any elevations of the proposed building or a signage plan. Approval could be granted contingent upon the building meeting the height requirements and submission of a signage plan and approval by the Zoning Administrator.

If you are unable to attend the meeting please call the office (723-2558). See you at the meeting!

Planning Commission



231.723-2558 FAX 231.723-1546

Petition for Zoning Amendment

10	m b	DRECHARIS HWY Code M +9660	FOR OFFICE	USE ONLY:
Applicar	ıt.			
Go.	45	DRCHARD HWY	Case number	
Address			Date Received	
MAn	11570	EE M 49660	Fee Received	4/29/03
City, Sta	te, Zip	Code	Receipt Number	2895
Phone N	umbers	(Work) 231 - 325-3100 Bar 229	Hearing Date	
		(Home) 231-889-5459	FEE \$250.00	
Please l additio		All questions must be answered completely neets.	. If additional	space is needed, number and attach
Ĺ,	ACTI	ON REQUESTED:	·	
		, the undersigned to hereby request that the Cit dment:	y of Manistee ap	prove the following petition for Zoning
	A.	Text Amendment: Amend Article Sold Manistee City Zoning Ordinance by making necessary - state proposed ordinance language "SIGNS WHICH INCLUDE FOR DELETING: " AND ANIO	the following o	hange(s): (Attach additional sheets if
]	В.	Re-zone from to	the property(s) posed use of the	described in II Property Information
		A previous application for a variance, special made with respect to these premises in the last use permit was made, state the action requested Decision:	tyears. If	

II.		PERTY INFORMATION:						
	A.	Legal Description of Property affected:						
		Tax Roll Parcel Code Number: 51-51-						
		Address of Property:						
	B.	List all deed restrictions - cite Liber & Page where found and attach:						
	C.	Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land.						
	D.	This area is \(\square\) un-platted, \(\square\) platted, \(\square\) will be platted. If platted, name of plat						
	E.	Attach a site plan drawn to the scale of one (1) inch equals (10) feet, showing all existing structures on the property, all proposed structures and marking those structures that will be removed or razed. Also, the general shape, size and location of all existing structures within 100 feet of the property along with their uses shall be depicted on the site plan, along with all abutting roads, streets alleys or easements.						
	F.	Present use of the property is:						
III.	STA	TEMENT OF JUSTIFICATION FOR REQUESTED ACTION:						
	A.	State specifically the reason for this Amendment request at this time <u>CHANAINA MESSIACES VIIA</u> <u>SGROLLINA OR OTHER TYPES OF ELECTRONIC MESSIACINA SYSTEMS DUES NOT</u> <u>POSE ANY AND TIONAL TRAFFIC DANGER.</u> MINOT USES SUCH DEVICES AROUND <u>CONSTRUCTION SITES</u> ALLOWS THE USE OF SUCH DEVICES ALONG HIGHWAYS. AND <u>(STILIZES A RETHER SOPHISTICATED SYSTEM AT THE 'S' CUDIE IN GRAND RAPID</u> (SEE ATTACKED)						
	B.	If the Amendment is a propose re-zoning, please answer the following questions.						
		1. Will this re-zoning be in conformance with all adopted development plans of the City of Manistee? ☐ yes ☐ no and Manistee County? ☐ yes ☐ no						

Π.

	2.	If the proposed zone does not conform to the(se) plan(s), why should the change be made? Please be specific, brief and attach any supporting documentation which substantiates your claim. This could include an allegation that the existing zoning is in error which would be corrected by the proposed change, or that specific changes or changing conditions in the immediate area make the re-zoning necessary to promotion of public health, safety and general welfare.
	3.	What do you anticipate the impacts of the proposed zone change on the adjacent property to be? What steps do you propose to take to mitigate any negative impacts associated with the proposed change?
IV.	AFFIDAVIT	
	in the petition respects true a	ed affirms that he/she or they is (are)the (owner, lessee, authorized agent of owner) involved and that the answers and statements herein contained and the information submitted are in all and correct to the best of his, her or their knowledge and belief. of Applicant (s):
	Dated 4	29-03
	By checking to	his box permission is given for Planning Commission Members to make a site sary.

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION: (cont'd)

A. State specifically the reason for this Amendment request at this time AISO,

LOCALLY SUCH SYSTEMS HAVE BEEN IN USE FOR SOME

TIME AND HAVE CAUSED NO TRAFFIC ISSUES, NOR DO THEY

DETRACT FROM THE ESTHETIC QUALITY OR VALUE OF

NEIGHBORING PROPERTIES. WEST SHOPE BANK IS ONE EXAMPLE.

HOUSE OF FLAVORS, IN MANISTEE AND LOCATED AT A BUSY

INTERSECTION UTILIZES AN ELECTRONIC MESSIAGING DEVICE

WITH NO DETRIMENTAL EFFECT ON TRAFFIC.

Ordinance 03 - 06

AN ORDINANCE TO AMEND IN PART

AN ORDINANCE ENTITLED "MANISTEE CITY ZONING

ORDINANCE" WHICH WAS ADOPTED MAY 1, 1990, AS AMENDED, TO AMEND THE MANISTEE CITY ZONING ORDINANCE

ARTICLE 14: SIGNS

SECTION 1411.D SIGNS PROHIBITED UNDER THIS ORDINANCE

THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORI
--

1. That Article 14: Signs, Section 1411.D Signs Prohibited Under this Ordinance amended as follows:

1411. Signs Prohibited Under this Ordinance

All *Signs* not expressly permitted under this Ordinance or exempt from regulation in accordance with the previous *section* are prohibited. Such *Signs* include, but are not limited to:

A. Beacons;

Michelle Wright, City Clerk

- B. Strings of light not permanently mounted to a rigid background, except those exempt under the previous *section*;
- C. Signs which have words "Stop", "Go Slow", "Caution", "Danger", "Warning", or similar words used in traffic control and which because of size, location, context, coloring or manner of illumination can be confused with traffic control Signs; Signs which hide from view any traffic control Sign or signal; Signs which obstruct a drivers vision. The Police Chief of the City of Manistee shall determine the acceptability of such Signs.
- D Signs which include flashing or moving chasing lights. and Animated Signs.
- E. Except such Signs as may be specifically approved by the City Council.

2.	CONFLICTING ORDINANCES: All other of amendments hereto, of the Manistee City in conflict hereby repealed.		-	•
3.	EFFECTIVE DATE: This Ordinance shall take publication in the Manistee News Advocate.	te effect on		upon
		Richard Mac	k, Mayor	Dated
ATTE	ST:			

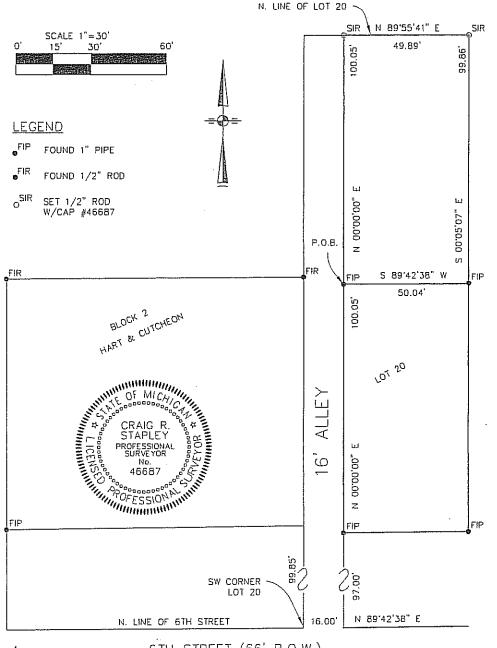
Date

Request to Split a Parcel

Name and Address of Applicant: KENNETH E. NOWAK
242 6th St
MANISTEE, MI. 49660
Signature Lewner Mowak
Phone Numbers: Home 723-9874 Work N/A
Name and Address of other parties who have an interest:
St. JOSEPH CATHOLIC CHURCH, MANISTEE
Signature Milliami J S. Reffix
Phone Numbers: Home 231-723-2619 Work 231-723-2619
Parcel Identification Numbers for all parcels involved: 51-51-1064-704-03-0
Reason for request: INCREASE SIZE OF PRESENT PROPORTY.
Attach a sketch or site plan of all parcels involved in the request. The sketch must include the location of buildings and/or structures, building set-backs, streets, street names and lot dimensions.
Fee: \$50.00 for first split + \$25.00 for each additional split. Receipt #

I, CRAIG R. STAPLEY, A LICENSED PROFESSIONAL SURVEYOR, NUMBER 46687, IN MICHIGAN, CERTIFY THAT THIS DRAWING IS AN ACCURATE REPRESENTATION OF A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION FOR THE FOLLOWING DESCRIBED PARCEL OF LAND:

SEE PAGE 2 FOR LEGAL DESCRIPTIONS.



AG TING 6TH STREET (66' R.O.W.) GROWS GATE OF CERTIFICATE

CRAIG A. STAPLEY LICENSED PROFESSIONAL SURVEYOR No. 46687 ABONMARCHE CONSULTANTS, INC.

THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF ACT 132 OF THE PUBLIC ACTS OF 1970, AS AMENDED AND WAS PERFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5000.

PLAT OF SURVEY FOR:

KENNETH

NOWAK

EDPYRIGHT 1994 - ABDHMARCHE CONSULTANTS, INC.



ABONMARCHE CONSULTANTS, INC.

361 First Street Monistee, Michigan 49660 231-723-1198 FAX: 231-723-1194 95 West Main Street Benton Harbor, Michigan 49022 616-927-2295 FAX: 616-927-4639

ARCHITECTS / ENGINEERS / SURVEYORS / PLANNERS

DATE: APRIL 28, 2003 DRAWN BY: CRS

SCALE: 1"=30' SEC. 12 T. 21N R.17W

D

PLANNERS CRS

BOF

CERTIFICATE OF SURVEY

I, CRAIG R. STAPLEY, A LICENSED PROFESSIONAL SURVEYOR, NUMBER 46687, IN MICHIGAN, CERTIFY THAT THIS DRAWING IS AN ACCURATE REPRESENTATION OF A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION FOR THE FOLLOWING DESCRIBED PARCEL OF LAND:

PROPOSED SPLIT

A PARCEL OF LAND IN THE CITY OF MANISTEE, COUNTY OF MANISTEE, STATE OF MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF LOT 20, WILLIAM MAGILLS ADDITION TO THE CITY OF MANISTEE; THENCE NORTH 89'29'40" EAST, ALONG THE NORTH LINE OF SIXTH STREET 16.00 FEET TO THE EAST LINE OF A 16 FOOT ALLEY; THENCE NORTH 00'00'00" EAST, ALONG SAID EAST LINE 197.05 FEET TO THE POINT OF BEGINING; THENCE CONTINUING NORTH 00'00'00" EAST, ALONG SAID EAST LINE 100.05 FEET, TO THE NORTH LINE OF LOT 20; THENCE NORTH 89'55'41" EAST, ALONG SAID NORTH LINE 49.89 FEET; THENCE SOUTH 00'05'07" EAST 99.86 FEET; THENCE SOUTH 89'42'38" WEST 50.04 FEET TO THE POINT OF BEGINNING.

EXISTING PARCEL # 51-51-664-704-03 LOT 20 & 21 WILLIAM MAGILLS ADDITION THE THE CITY OF MANISTEE, EXCEPT COMMENCING AT THE SOUTHWEST CORNER OF LOT 20, EAST 66 FEET, NORTH 197 FEET, WEST 50 FEET, NORTH TO THE NORTH LINE OF LOT 20, WEST 16 FEET, SOUTH TO THE POINT OF BEGINNING.

EXISTING PARCEL SHOWING NEW EXCEPTION LOT 20 & 21 WILLIAM MAGILLS ADDITION THE THE CITY OF MANISTEE, EXCEPT COMMENCING AT THE SOUTHWEST CORNER OF LOT 20, EAST 66 FEET, NORTH 197 FEET, WEST 50 FEET, NORTH TO THE NORTH LINE OF LOT 20, WEST 16 FEET, SOUTH TO THE POINT OF BEGINNING.

A PARCEL OF LAND IN THE CITY OF MANISTEE, COUNTY OF MANISTEE, STATE OF MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF LOT 20, WILLIAM MAGILLS ADDITION TO THE CITY OF MANISTEE; THENCE NORTH 89'29'40" EAST, ALONG THE NORTH LINE OF SIXTH STREET 16.00 FEET TO THE EAST LINE OF A 16 FOOT ALLEY; THENCE NORTH 00'00'00" EAST, ALONG SAID EAST LINE 197.05 FEET TO THE POINT OF BEGINING; THENCE CONTINUING NORTH 00'00'00" EAST, ALONG SAID EAST LINE 100.05 FEET, TO THE NORTH LINE OF LOT 20; THENCE NORTH 89'55'41" EAST, ALONG SAID NORTH LINE 49.89 FEET; THENCE SOUTH 00'05'07" EAST 99.86 FEET; THENCE SOUTH 89'42'38" WEST 50.04 FEET TO THE POINT OF BEGINNING.



CRAIG R. STAPLEY
LICENSED PROFESSIONAL SURVEYOR No. 46687

DATE OF CERTIFICATE

4128/03

LICENSED PROFESSIONAL SURVEYOR No. 46687
ABONMARCHE CONSULTANTS, INC.

THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF ACT 132 OF THE PUBLIC ACTS OF 1970, AS AMENDED AND WAS PERFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5000.

PLAT OF SURVEY FOR:

KENNETH NOWAK



ABONMARCHE CONSULTANTS, INC.

351 First Street Monistee, Michigon 49660 231-723-1198 FAX: 231-723-1194 95 West Main Street Benton Harbar, Michigan 49022 616-927-2295 FAX: 616-927-4639

ARCHITECTS / ENGINEERS / SURVEYORS / PLANNERS

DATE: APRIL 28, 2003 DRAWN BY: CRS

SCALE: 1"=30' SEC.12 T. 21N R.17W

COPYRIGHT 1994 - ADDNIARCHE CONSULTANTS, INC.

NO. M3-0368

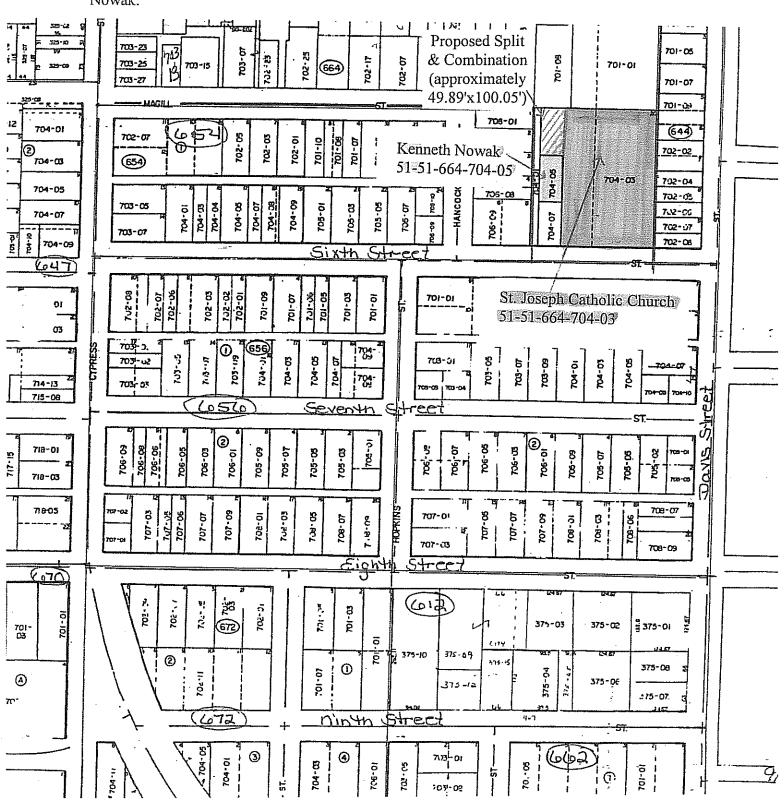
gor

Kenneth Nowak 51-51-664-704-05

North

St. Joseph Catholic Church 51-51-664-704-03

The request is to split approximately 49.89' x 100.05' from parcel 51-51-664-704-03 owned by St. Joseph Catholic Church. Then combine this with parcel 51-51-664-704-05 owned by Kenneth Nowak.



MEMO

TO:

Planning Commission Members

FROM:

Jon R. Rose

Community Development Director

DATE:

May 29, 2003

RE:

Site Plan Review - Harbor Village/Lakeview Condominiums

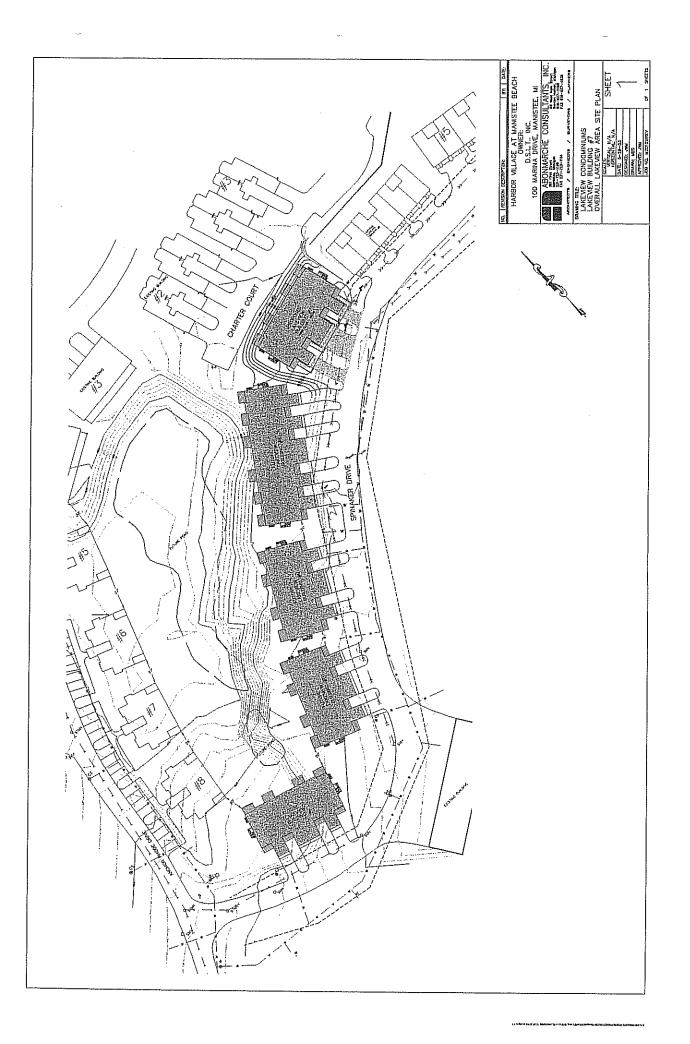
We have received a request from Harbor Village for Lakeview Condominiums #7 thru #11. The Planning Commission approved a plan for these buildings in February 2002. The proposed plan is a minor change to the plan submitted in 2002 and meets all of the requirements of the Zoning Ordinance.

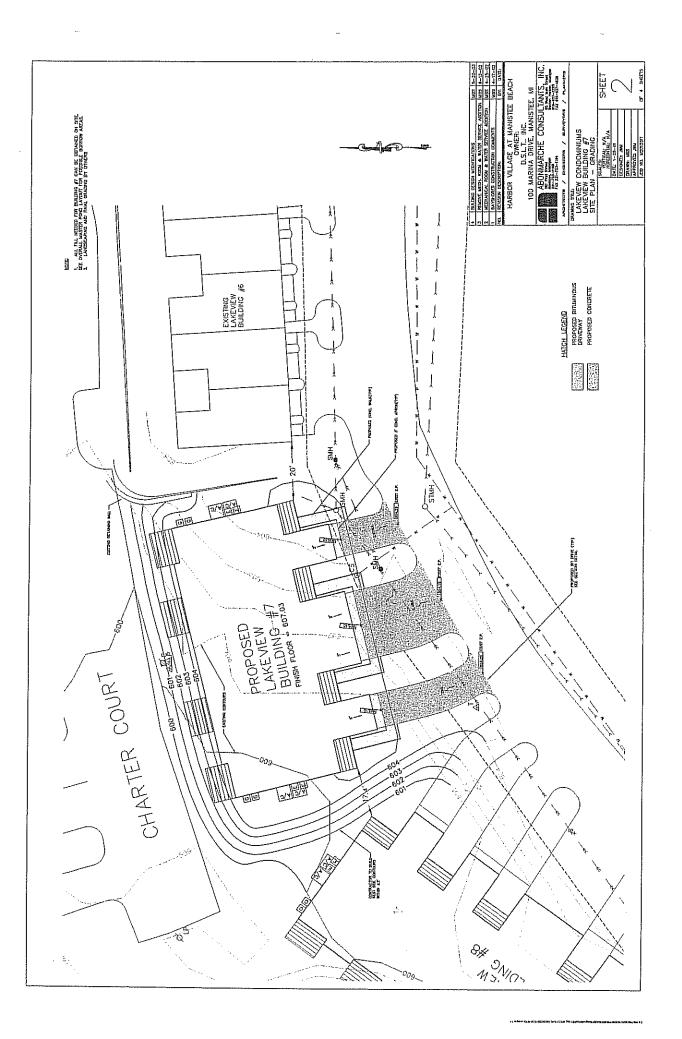
Staff recommendation is to approve the request as presented.

JRR:djb

Application for Site Plan Review & Land Use Permit

Location of Project: Lak	eview Condominiu	m - Harbor Village at Manistee Beach
Parcel Code #: 51-	51-267-050-00	
- ··		er, DSLT Inc., 100 Marina Drive,
Phone Numbers: Work(231) 723-0070	Home (231) 723-8058
Name & Address of Owner	if different:	
Phone Numbers: Work		Home
Site Plan Reviews need to must be received 10 days first Thursday of the Mon	go before the City of prior to the meeting. th at 7:00 p.m. in the	Manistee Planning Commission. They Regularly scheduled meetings are the Council Chambers, City Hall.
A Site Plan, as spelled out with the application. Spec	in Section 9404, 940 cifications on the bac	05 or 9406 of this ordinance, is needed k of this sheet.
Once completed the form	should be returned to	Don Rose Community Development Officer City of Manistee P.O. Box 358, 70 Maple Street Manistee, MI 49660
For Questions call Jon Ro	ose, (231) 723-2558.	
Fee: Land Use Permit/S	ite Plan Review \$ 20	.00 (PUD \$250.00)





Top Notch Auto, LLC 145 Harrison St. PO Box 493 Manistee, Michigan 49660

May 27, 2003

Roger Yoder, Chairman City of Manistee Planning Commission 70 Maple Street Manistee, Michigan 49660

Dear Mr. Yoder,

We are a new business, Top Notch Auto, LLC, operating at 145 Harrison Street. Per section 5002 of the City's Zoning Ordinance, we are a permitted use in the C-1 Commercial District.

We are requesting the approval of the Commission for displaying our vehicles for sale as an "...open air use..." on both lots 19 & 20 as required in section 5004.D.5.d.

Respectfully,

Michael J. Ennis

Member

Top Notch Auto, LLC

MEMO

TO:

Planning Commission Members

FROM:

Jon R. Rose

Community Development Director

DATE:

May 30, 2003

RE:

Top Notch Auto

We have received a request from Top Notch Auto LLC, 145 Harrison Street to allow an "open air use". The Planning Commission must determine if the "open air use" is appropriate for this area. Even if an "open air use" is granted the set-back requirements of the Zoning Ordinance must be maintained.

The Planning Commission will also need to determine if by "parking" vehicles for sale does the "hard surface" requirements of the ordinance need to be applied to this use?

JRR:djb

Application for Site Plan Review & Land Use Permit 146 Cleveland Sheet

146 Cleveland Stre	eet
146 Cleve land Stre Location of Project: <u>セクズムビス</u> 31 2 TAVE	OR E LINCOLAS
Parcel Code #: 5/-5/-/6/-326-0/ + 107 (LOT#1-5/-5/-146-724-01) Name & Address of Applicant: AP/THU Es	#19 51-51-146-725-19+
Name & Address of Applicant: APTILLES	DUIMIENT (HEN FOSTER
2205 INNUITOS DR	5,5
Phone Numbers: Work 6/6-28/-33-46 Home	616-490-3346
Name & Address of Owner if different: BRIAN	SELFERLEIK
Brief description of work to be done: SITE (elorgy, CATE CATE NAKSH BULLDING.	ONSTRUCTION, SECAR
Site Plan Reviews need to go before the City of Manister must be received 10 days prior to the meeting. Regular first Thursday of the Month at 7:00 p.m. in the Council	ly scheduled meetings are the
A Site Plan, as spelled out in Section 9404, 9405 or 940 with the application. Specifications on the back of this	06 of this ordinance, is needed sheet.
Co Cit P.O	n Rose ommunity Development Officer ty of Manistee O. Box 358, 70 Maple Street

For Questions call Jon Rose, (231) 723-2558.

Fee: Land Use Permit/Site Plan Review \$ 20.00 (PUD

(PUD \$250.00)

SITE PLAN REVIEW

NAME:	VAME: Capital Equipment of 2205 Innwood Drive Kentwood, MI 4950			e S.E. ZONI			ROPOSED USE: Car Wash ONING DISTRICT: C-4			
PARCEL CC	51-146-724	-01	USE I	S:	X O	Permit Specia Not Pe				
BULK REGU	JLATIONS	-	RED BY IING		PROP IN P	OSED LAN		COMPL YES	IANCE NO	
PARCEL SIZ	ZE:	2,50	00 sq. ft.		>2	,500 sq.	ft.	X		
STREET FR	ONTAGE:	2	5 ft.		>25 ft.			X		
SETBACKS FRON	NT YARD	0				25 ft		X		
SIDE	YARD	0				62 ft.		X		
REAF	R YARD	6	ft.			>6 ft.		X		
WAT	ERFRONT	n	/a			n/a		X		
HEIGHT:		4	0 ft.	n	o elevat	ions pro	vided			
PARKING:										
BUILDING AREA:			n/a		n/a			X		
SIGNAGE:			plan shows 1 pole, 1 ground mount, 2 signage plan will be required			, 2 enti	rance/exi	t signs		
SPECIAL DI	STRICTS				•					
		APF YES	LIES? NO		API YES	PROVE	D? NO			
HISTORIC C	VERLAY:		X							
HIGH RISK I	EROSION:		X							
FLOOD PLA	IN:		X							
SOIL EROSION:			X							

OTHER: Must have a buffer area of 10 feet from parcel boundary on which a dwelling or duplex is located OR obtain a variance from the Zoning Board of Appeals.

Variance granted by ZBA to allow increase in the driveway width regulation for a entrance/exit from 35 feet to 40 feet for a three lane driveway to US 31.

REVIEWED BY:

APPROVED BY: 2

DATE: 5/30/03

